

Court of Appeals, State of Michigan

ORDER

Tony Sudut v Botsford General Hospital

Docket No. 260256

LC No. 04-425295-NH

Michael J. Talbot
Presiding Judge

Kirsten Frank Kelly

Karen M. Fort Hood
Judges

The Court considers the application for leave to appeal and orders, pursuant to MCR 7.205(D)(2), that the December 22, 2004, order of the Wayne Circuit Court denying defendants' motion to change venue hereby is REVERSED. Plaintiff's first amended complaint alleges malpractice against two defendants during the decedent's treatment at the Oakland County facility. Thus, the original injury, or the alleged wrong or damage done by these defendants, occurred in Oakland County. See *Karpinsky v Saint John Hosp-Macomb Center Corp*, 238 Mich App 539; 606 NW2d 45 (1999). Accordingly, pursuant to MCL 600.1629, venue is proper in Oakland County. The case is REMANDED to the circuit court for proceedings consistent with this order.

The Court retains no further jurisdiction.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JUN 03 2005

Date

Sandra Schultz Mengel
Chief Clerk